

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 11, 2004 LB 16, 625

All in favor vote aye, opposed nay. Have you all voted who care to? Record please, Mr. Clerk.

ASSISTANT CLERK: (Record vote read, Legislative Journal page 996.) The vote is 40 ayes, 0 nays, 9 excused and not voting, Mr. President.

SENATOR CUDABACK: LB 16 passes. Mr. Clerk, next legislative bill.

ASSISTANT CLERK: Mr. President, with respect to LB 625, Senator Brown would move to return the bill for a specific amendment, that being to strike the enacting clause.

SENATOR CUDABACK: Senator Brown, you're recognized to open on your motion to strike the enacting clause.

SENATOR BROWN: Mr. President, members, there has been a flurry of activity around this bill and I felt that I needed to speak to it. Apparently, the NEOC has not read existing law which states the commission shall make available to the aggrieved person and the respondent and at any time, upon request, information derived from an investigation and any final investigative report to that investigation. This is Nebraska Statute 20-330. The reason that LB 625 was introduced is because the commission has been conveniently ignoring the statute and not allowing full access to the records in question. LB 625 simply tells the commission they must allow access and defines make available to include allowing copies to be made at a reasonable reimbursement to NEOC. The NEOC has been aware of this legislation since the summer of 2002. Where have they been for the last year and a half? They did not come to the hearing. They have not made any attempt to contact me until yesterday. Mr. Whitaker and others have claimed that LB 625 would cause the NEOC to lose federal funding. This claim has never been substantiated. In Mr. Whitaker's e-mail, he claims that an October 2003 letter from HUD made it abundantly clear that we cannot remain substantially equivalent to HUD if LB 625 is passed. The letter says no such thing and, furthermore, addresses the issue of public disclosure, not disclosure to the involved parties. And I have copies of that letter which I will